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July 3, 2018

VIA ECF

The Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007
Parker_NYSDChambers@nysd.uscourts.gov

Re: City of Almaty, Kazakhstan, et ano. v. Mukhtar Ablyazov, et al.
Case No. 15-Civ. 5345 AJN KHP

City of Almaty, et ano. v. Gennady Petelin,
Case No. 18 Misc. 227 AJN KHP

Dear Judge Parker:

I represent non-party Gennady Petelin in the above-referenced actions. This letter pertains to the document subpoena served on Mr. Petelin and a demand by the plaintiffs, the Kazakh Entities, with respect to the Court's Order Concerning Non-Party Subpoena filed June 21 (the "Order") (ECF No. 749). By this letter, Mr. Petelin is moving the Court for a protective order against cumulative and irrelevant discovery that the Kazakh Entities are seeking under their subpoena.

On June 29, counsel for the Kazakh Entities notified Mr. Petelin's counsel that they expect the production of communications between "on the one hand, Mr. Petelin or any agent of his, including his lawyers, and, on the other hand, Ilyas Khrapunov concerning this lawsuit or money provided to SDG." Mr. Petelin did not understand the Court's Order as stating that the subpoena requires the production of such documents from his lawyer representing him in this case. He asks the Court for a protective order, given that such discovery is cumulative and pertains to a satellite issue in the case.

The Court has heard that Mr. Petelin's undersigned counsel had communications with Mr. Petelin through Mr. Khrapunov. Documents comprising those communications

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Honorable Katherine H. Parker
July 3, 2018
Page 2

were produced to the Kazakh Entities by Mr. Khrapunov. They were brought to the Court's attention by the Kazakh Entities in briefing on the motion to compel to support their argument that Mr. Petelin had waived his objections to the subpoena, and they were considered by the Court. (ECF No. 749 at p. 10).

Mr. Petelin's undersigned counsel got involved in the case in January to assist Mr. Petelin with the document subpoena and represent him in a deposition pursuant to a second subpoena. Counsel's communications with Mr. Petelin through Mr. Khrapunov were for the purpose of helping Mr. Petelin with his response to a lengthy and very broad document subpoena and the related motions practice.

Mr. Petelin respectfully submits that additional discovery from the lawyer representing him in this case is cumulative. And the burden such a request imposes on his counsel outweighs any relevance such cumulative communications may have to the case.

Mr. Petelin respectfully asks the Court for an order that he does not have to produce emails between his undersigned counsel and Mr. Khrapunov.

Respectfully Submitted,



Eugene Illovsky